

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING AND PLANNING COMMITTEE REPORT

MONDAY, SEPTEMBER 13, 2004

Present: Ald. Yates (Chairman), Ald. Baker, Lappin, Danberg, Hess-Mahan, Sangiolo, Lennon, and Johnson

City staff: Martha Horn, Environmental Planner; Juris Alksnitis, Chief Zoning Code Official; Linda Finucane, Chief Committee Clerk

Also: Douglas Dickson, Newton Conservators and Alexander Wilmerding

Appointment by His Honor the Mayor

#333-04 DAPHNE COLLINS, 372 Waltham Street, West Newton, appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term of office to expire on July 31, 2007 (60-day Board action 10/8).

ACTION: HELD 7-0 (Johnson not voting)

NOTE: Although Ms. Collins is well known to several committee members from her previous service with the Planning Department, the committee agreed to hold her appointment until she could be present as has been done for other new appointments.

Appointment by His Honor the Mayor

#302-04(2) JEFFREY R. RIKLIN, 37 High Street, Newton Upper Falls, appointed as a RESIDENT member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION to fill the unexpired term of Steven Flynn, whose term of office expires July 31, 2005 (60 days 11/6).

ACTION: APPROVED 7-0 (Johnson not voting)

NOTE: Ms. Riklin is a fourteen-year resident of the city. He has lived in Upper Falls for five years. Active in the Upper Falls Community Development Corporation, he is a contractor and brings a construction and restoration background as well as experience with non-profits. He is aware of balancing the need for affordable housing with historic preservation, and sees the commission as a resource for residents. The committee voted 7-0 to approve Mr. Riklin's appointment.

Appointment by His Honor the Mayor

#353-04 BETH A. CORR, 240 Elliot Street, Newton Upper Falls, appointed as an ALTERNATE Resident Member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION to fill the unexpired term of David Letendre, whose term of office expires June 30, 2006 (60-day Board action 11/6).

ACTION: APPROVED 7-0 (Johnson not voting)

NOTE: Ms. Corr is a general contractor who has developed residential properties in Lincoln. She renovated her 1830 house on Elliot Street in the Upper Falls Historic District. She noted that one of the problems faced by the commission is development keeping with the character of the village and retaining green space. The committee voted 7-0 to approve Mr. Corr's appointment.

Appointment by His Honor the Mayor

#332-04 LAWRENCE SCHWIRIAN, 7 Williston Road, Auburndale, appointed as an ALTERNATE member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term of office to expire on September 30, 2007 (60-day Board action 10/8).

ACTION: APPROVED 7-0

NOTE: Mr. Schwirian had appeared before the committee at its last meeting before his appointment was formally submitted. Although the discussion clearly demonstrated his knowledge of and commitment to historic preservation and his professional skills and experience as an architect, the committee was unable to vote at that time. The Chairman reported that both Mr. and Mrs. Schwirian, who is also an architect, had been inspecting the possible expanded area of the Upper Falls district and had visited Mary Immaculate of Lourdes church, a likely site of commission attention. The committee voted 7-0 to approve Mr. Schwirian's appointment.

#126-03(2) CONSERVATION COMMISSION requesting acceptance of a conservation restriction on the remaining developable portion of parcel #650004, located on ELGIN STREET.

ACTION: APPROVED 8-0

NOTE: See #397-01(2)

#397-01(2) CONSERVATION COMMISSION requesting an AMENDMENT to the Conservation Restriction, granted on December 3, 2001, at 180 ELGIN STREET on land located next to the Charles Cohen Conservation Area and an MDC open-space parcel.

ACTION: APPROVED 8-0

NOTE: The city acquired a conservation restriction on this parcel in 2001. In April of 2003 Community Preservation funds were approved by the Board to purchase an additional portion of parcel #650004. These two items will reconfigure the boundary of existing conservation land (allowing the donor's wall and patio to remain on his lot) and increase the conserved portion which, after being purchased with CPA funds, executed, and recorded, will be held by the Newton Conservators, a non-profit, as stipulated in the Community Preservation Act. Ms. Horn explained the advantages to both the owner, who gets a bigger lot with street frontage and the city, which acquires land in fee ownership at a sub-discounted price. (See attached sketch.)

Upon a motion by Ald. Baker, the committee voted unanimously to approve both items.

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#364-04 ALD. SANGIOLO & HARNEY requesting a RESOLUTION to His Honor the Mayor to ask that the City acquire, whether by eminent domain or by purchase, the two parking lots associated with the St. Bernard's property for the purpose of providing commuter parking.

ACTION: APPROVED AS AMENDED 8-0

NOTE: This item is in response to the fear voiced at the public hearing on the re-zoning of the St. Bernard's property (#263-04) that commuters who park across the street from St. Bernard's church to take the MBTA could be displaced into neighborhood streets by the sale of the property. Several amendments were offered and accepted.

Ald. Hess-Mahan said the commuters only park in one of the two lots on the south side of Washington Street. The smaller lot is used by the staff at the Learning Prep School and is probably included in its lease with Archdiocese. Ald. Sangiolo agreed to amend the item to one lot.

Ald. Baker suggested that the purpose of preserving commuter parking could be accomplished by a "lesser" interest than ownership, e.g., the MBTA could purchase the property and city might enter into a license agreement. Ald. Sangiolo also agreed with this amendment.

Ald. Johnson objected to the use of "eminent domain." Ald. Sangiolo agreed to drop the reference.

The Chairman reported to the committee that Planning Director Mike Kruse had told him that the MBTA had approached the Archdiocese about acquiring the lot for commuter parking. Ald. Sangiolo consented to accept the MBTA acquisition as an alternative means to accomplish her goal. The committee voted unanimously to approve the following resolution:

ZONING & PLANNING COMMITTEE offering a RESOLUTION to His Honor the Mayor that the City preserve the existing commuter parking on the St. Bernard's property by acquiring ownership or a lesser interest in the commuter parking lot by encouraging the MBTA to do so.

All other items were held without discussion and the meeting was adjourned at approximately 8:30 PM, after forty-five minutes of work, but with six items disposed of.

Respectfully submitted,
Brian Yates, Chairman